

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of

Amendment of Section 73.202(b)
FM Table of Allotments,
FM Broadcast Stations.
(Tallapoosa, Georgia)

MB Docket No 03-161
RM-10708

REPORT AND ORDER
(Proceeding Terminated)

Adopted: November 14, 2003

Released: November 17, 2003

By the Assistant Chief, Audio Division:

1 The Audio Division has before it a *Notice of Proposed Rulemaking*¹ issued at the request of SSR Communications, Inc. ("SSR"), requesting the allotment of Channel 255A at Tallapoosa, Georgia. SSR filed comments reiterating its interest in applying for Channel 255A at Tallapoosa, Georgia. No other comments were filed in response to the *Notice*

2. We believe that the public interest would be served by the allotment of Channel 255A at Tallapoosa, Georgia, as it will provide the community with its first local FM broadcast service.² As stated in the *Notice*, Tallapoosa is an incorporated community with a population of 2,789 people according to the 2000 U.S. Census. Tallapoosa has its own local government, police and fire departments, schools, U.S. Post Office and its own zip code (30176) and numerous churches and businesses that serve the residents of the community. A staff engineering analysis indicates that Channel 255A can be allotted to Tallapoosa, Georgia, consistent with the minimum distance separation requirements of the Commission's Rules with a site restriction 10.3 kilometers (6.4 miles) south of the community at coordinates 33-39-20 and 85-15-27. Although Channel 255A at Tallapoosa conflicts with Channel 253C, Station WSB, Atlanta, Georgia, Station WSB has consented to the reclassification of its license from Class C to Class C0 in MB Docket No. 03-77.³ Our analysis shows that Channel 255A at

¹ See *Tallapoosa, Georgia*, 18 FCC Rcd 14381 (M.B. 2003)

² On May 28, 2002, SSR submitted a petition for rule making requesting the allotment of Channel 223A at Tallapoosa, Georgia. SSR also requested that an Order to Show Cause be directed to the licensee of Station WDEF, Chattanooga, Tennessee, to downgrade the station from Channel 222C to Class C0 status to accommodate the allotment at Tallapoosa. An *Order to Show Cause*, DA No. 03-429, was released on February 18, 2003, directing Jackson Telecasters, Inc., licensee of Station WDEF to show cause why its authorization should not be modified to specify operation on Channel 222C0 in lieu of Channel 222C at Chattanooga. SSR has withdrawn its proposal for the allotment of Channel 223A at Tallapoosa, Georgia, RM-10651, in accordance with Section 1.420(j) of the Commission's Rules. In response to SSR's withdrawal, an *Order* was adopted on July 23, 2003, terminating the proceeding. See 18 FCC Rcd 15162 (Audio Division 2003)

³ See 18 FCC Rcd 4962 (M.B. 2003). MB Docket 03-77 proposed changes at Ashland, Coaling, Cordova, Decatur, Dora, Hackleburg, Hobson City, Holly Pond, Midfield, Sylacauga, Tuscaloosa, Alabama, and Atlanta Georgia, in response to a petition filed jointly by Cox Radio, Inc. and its wholly-owned subsidiary CXR Holdings, Inc. CXR Holdings, Inc. is the licensee of Station WSB, Atlanta, Georgia

Tallapoosa, Georgia, does not conflict with the allotment of Channel 253C0 at Atlanta, Georgia

3. Accordingly, pursuant to the authority contained in Sections 4 (i), 5(c)(1), 303(g), and (r), and 307(b) of the Communications Act of 1934, as amended, and 0.61, 0.204(b) and 0.283 of the Commission's Rules, IT IS ORDERED That effective January 8, 2004, the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, IS AMENDED, with respect to the community listed below, as follows:

Community

Channel

Tallapoosa, Georgia

255A

4. A filing window for Channel 255A at Tallapoosa will not be opened at this time. Instead the issue of opening this allotment for auction will be addressed by the Commission in a subsequent *Order*.

5. For further information regarding the proceeding listed above, contact Kathleen Scheuerle, (202)418-2180.

6. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos
Assistant Chief, Audio Division
Media Bureau